

## **ADVISORY OPINION 1999-007**

**Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is rendered. KRS 121.135(4).**

May 3, 1999

Mr. Mike Burton  
Executive Director  
2000 Southern Republican Leadership Conference  
P.O. Box 5051  
Frankfort, Kentucky 40602

Dear Mr. Burton:

This is in response to your letter dated April 1, 1999 requesting an advisory opinion regarding whether the Southern Republican Leadership Conference, scheduled for January 2000 (2000 SRLC) is required to register as a committee with the Registry and file campaign finance reports. Your letter explains that 2000 SRLC is a one-time multi-state educational conference that is open to the public upon payment of a registration fee. 2000 SRLC intends to solicit funds to underwrite expenses associated with the conference that are not otherwise covered by the basic registration fee. You state that these underwriting funds will not be transferred to any committee that supports candidates for public office.

KRS 121.170(1) requires any committee organized under the provisions of KRS Chapter 121 to file notice of organization and other necessary information with the Registry. KRS 121.015(3) defines "committee" for the purpose of KRS Chapter 121. As correctly stated by your letter, 2000 SRLC does not fall within any of the five (5) categories of "committee" under KRS 121.015(3), as it is not organized to:

- (1) Receive contributions or make expenditures on behalf of a candidate or slate of candidates;
- (2) Advocate or oppose a constitutional amendment or public question appearing on the ballot;
- (3) Expressly advocate the election or defeat of candidates;

- (4) Serve as an executive committee of a political party; or
- (5) Receive contributions or make expenditures in support of inauguration activities for a candidate elected to office.

Therefore, based on the facts presented by your letter, 2000 SRLC does not fall under the jurisdiction of the Registry and is not required to register or file reports as a committee within the meaning of KRS 121.015(3).

However, note that this opinion is contingent on 2000 SRLC being open to the public upon payment of a registration fee. Further, payment of the registration fee or contributions to 2000 SRLC by candidates for Kentucky state office out of their campaign accounts must be independently justified by the candidates as an allowable campaign expenditure. See, e.g., KREF Advisory Opinion 1997-006 (opining that a registration fee for a political education seminar must represent the fair market value of the seminar and materials and that candidates or other attendees must pay the fee personally); KRS 121.175.

If you have any further questions concerning this or any other transaction, please do not hesitate to contact the Registry staff.

Sincerely,

Rosemary F. Center

RFC/jh  
Enclosure